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Date of Deposit: January 9, 2006

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Amendment and Response to Final Office Action  
(19 pages)  
Postcard Filing Receipt

Application No.: 10/037,085

Filing Date: December 20, 2001

Applicant(s): Kenneth M. MAXHAM

Title: SYSTEM AND METHOD FOR SELECTING THE  
PLACEMENT OF OPTICAL AMPLIFIERS IN  
AN OPTICAL NETWORK

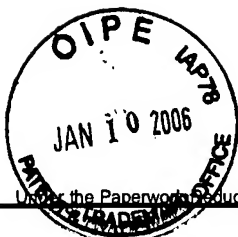
Examiner: Christina Y. Leung

Art Unit: 2633

Attorney Docket No.: 10.0882

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Barbara C. Brown  
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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number

10/037,085

Filing Date

December 20, 2001

First Named Inventor

Kenneth M. MAXHAM

Art Unit

2633

Examiner Name

Christina Y. Leung

Attorney Docket Number

10.0882

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply (19 pages)



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
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Remarks

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Date

January 9, 2006

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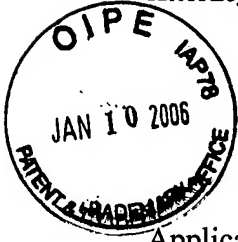
Barbara C. Brown

Date

January 9, 2006

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	)	Kenneth M. MAXHAM
Application No.	)	10/037,085
Filing Date	)	December 20, 2001
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Examiner	)	Christina Y. Leung
Art Unit	)	2633

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Commissioner for Patents  
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**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

Dear Sir/Madam:

In response to the final Office Action mailed November 10, 2005, rejecting Claims 1-35 of the above-referenced Application, in which Claims 1-35 are pending, Applicant respectfully requests that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicant submits that the Application is now in condition for allowance and respectfully requests such action, without further search.

**Amendments to the Claims** begin on Page 2;

**Remarks** begin on Page 11; and

**Conclusion** begins on Page 17